

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Nicholas D. Solosky
Lauren F. Solosky
fka Lauren F. Lewandowski**
Debtor(s)

Bankruptcy Case No.: 17-22757-CMB
Issued Per Dec. 21, 2017 Proceeding
Chapter: 13
Docket No.: 45 – 20, 28, 30, 34
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 30, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.
The secured claim of First National Bank of PA at Claim No. 6 and Ally Bank at Claim No. 4 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 8, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Nicholas D. Solosky
 Lauren F. Solosky
 Debtors

Case No. 17-22757-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 55

Date Rcvd: Jan 08, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 10, 2018.

db/jdb
 cr +Nicholas D. Solosky, Lauren F. Solosky, 500 Stanford Avenue, Pittsburgh, PA 15229-1419
 +North Hills School District, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +Township of Ross, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 14665853 +1ST NATIONAL BANK, 4140 EAST STATE STREET, Hermitage, PA 16148-3401
 14665854 +AES, PO BOX 61047, Harrisburg, PA 17106-1047
 14665856 +AMERICAN EXPRESS, PO BOX 981537, El Paso, TX 79998-1537
 14727145 American Express Bank, FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14665857 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: BANK OF AMERICA, PO BOX 982238, El Paso, TX 79998)
 14704065 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 14665859 CAPITAL ONE, PO BOX 30281, Salt Lake City, UT 84130-0281
 14665860 +CHASE /BANK ONE CARE SERVICE, PO BOX 15298, Wilmington, DE 19850-5298
 14654306 +CHASE BANK, PO BOX 15548, Wilmington, DE 19886-5548
 14665862 +CHASE CORPORATION, PO BOX 24696, Columbus, OH 43224-0696
 14684094 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14665866 DSNB/MACYS, PO BOX 8218, Monroe, OH 45050
 14725023 Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
 Kirkland, WA 98083-0657
 14665867 ++FIFTH THIRD BANK, MD# ROPS05 BANKRUPTCY DEPT, 1850 EAST PARIS SE,
 GRAND RAPIDS MI 49546-6253
 (address filed with court: FIFTH THIRD BANK, 5050 KINGSLEY DR, MD #1MOC2G,
 Cincinnati, OH 45263)
 14664914 +Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
 14671221 First National Bank of PA, 41410 E. State Street, Hermitage, PA 16148
 14724306 +JD Receivables LLC, Agent for KAY JEWELERS, PO Box 382656, Germantown, TN 38183-2656
 14711456 +JPMorgan Chase Bank, National Association, c/o Chase Records Center,
 ATTN: Correspondence Mail, Mail Code LA4-5555, 700 Kansas Lane, Monroe, LA 71203-4774
 14665870 +MOHELA/MECE CU, 633 SPIRIT DRIVE, Chesterfield, MO 63005-1243
 14665871 NORDSTROM/TD BANK, PO BOX 135801, Scottsdale, AZ 85267
 14690557 +North Hills School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14665872 +PA HIGHER EDUCATION/AES, PO BOX 61017, Harrisburg, PA 17106-1017
 14671087 +PHEAA, PO BOX 8147, HARRISBURG PA 17105-8147
 14665873 +PNC, PO BOX 3180, Pittsburgh, PA 15230-3180
 14665879 +TD BANK/TARGET, NCC-0240, PO BOX 1470, Minneapolis, MN 55440-1470
 14690556 +Township of Ross, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14731680 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14665855 +E-mail/Text: ally@ebn.phinsolutions.com Jan 09 2018 01:59:29 ALLY FINANCIAL,
 PO BOX 380901, Minneapolis, MN 55438-0901
 14666908 E-mail/Text: ally@ebn.phinsolutions.com Jan 09 2018 01:59:29 Ally Bank, PO Box 130424,
 Roseville MN 55113-0004
 14665858 +E-mail/Text: banko@berkscredit.com Jan 09 2018 01:59:40 BERKS CREDIT & COLLECTION,
 900 CORPORATE DRIVE, Reading, PA 19605-3340
 14665863 +E-mail/PDF: creditonebknofications@resurgent.com Jan 09 2018 02:02:51 CREDIT ONE BANK,
 PO BOX 98872, Las Vegas, NV 89193-8872
 14707390 +E-mail/Text: bankruptcy@cavps.com Jan 09 2018 02:00:31 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
 14665864 +E-mail/Text: electronicbkydocs@nelnet.net Jan 09 2018 02:00:14 DEPT OF EDUCATION,
 3015 PARKER ROAD, STE 400, Aurora, CO 80014-2904
 14665865 E-mail/Text: mrdiscen@discover.com Jan 09 2018 01:59:29 DISCOVER FINANCIAL SERVICES,
 PO BOX 15316, Wilmington, DE 19850-5316
 14658240 E-mail/Text: mrdiscen@discover.com Jan 09 2018 01:59:29 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14728467 +E-mail/Text: kburkley@bernsteinlaw.com Jan 09 2018 02:00:51 Duquesne Light Company,
 c/o Allison L. Carr,, Bernstein-Burkley, P.C.,, 707 Grant St., Suite 2200, Gulf Tower,,
 Pittsburgh, PA 15219-1945
 14665868 +E-mail/Text: BKRMailOPS@weltman.com Jan 09 2018 01:59:43 KAY JEWELERS, 375 GHENT ROAD,
 Akron, OH 44333-4600
 14710774 E-mail/PDF: resurgentbknofications@resurgent.com Jan 09 2018 02:03:19
 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14707957 E-mail/Text: bkr@cardworks.com Jan 09 2018 01:59:27 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14665869 +E-mail/Text: bkr@cardworks.com Jan 09 2018 01:59:27 MERRICK BANK, PO BOX 1500,
 Draper, UT 84020-1500
 14720697 +E-mail/Text: bankruptcydpt@mcmcg.com Jan 09 2018 02:00:06 MIDLAND FUNDING LLC,
 PO BOX 2011, WARREN, MI 48090-2011

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 55

Date Rcvd: Jan 08, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14701891 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 09 2018 02:31:31
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14654895 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 09 2018 02:16:15
PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14665874 +E-mail/PDF: gecsedirecoverycorp.com Jan 09 2018 02:03:14 SYNCB/AMAZONPLCC, PO BOX 965015,
Orlando, FL 32896-5015
14665875 +E-mail/PDF: gecsedirecoverycorp.com Jan 09 2018 02:03:14 SYNCB/HOME DESIGN HVAC,
PO BOX 965036, Orlando, FL 32896-5036
14665876 +E-mail/PDF: gecsedirecoverycorp.com Jan 09 2018 02:03:40 SYNCB/JC PENNEY, PO BOX 965007,
Orlando, FL 32896-5007
14665877 +E-mail/PDF: gecsedirecoverycorp.com Jan 09 2018 02:03:40 SYNCB/OLD NAVY, PO BOX 965005,
Orlando, FL 32896-5005
14665878 +E-mail/PDF: gecsedirecoverycorp.com Jan 09 2018 02:02:50 SYNCB/WALMART, PO BOX 965024,
Orlando, FL 32896-5024
14735283 +E-mail/Text: bncmail@w-legal.com Jan 09 2018 02:00:19 TD BANK USA, N.A.,
C/O Weinstein & Riley P.S., 2001 Western Ave Ste. 400, Seattle, WA 98121-3132
14665880 +E-mail/Text: csr@theaffiliatedgroup.com Jan 09 2018 02:00:57 THE AFFILIATED GROUP,
7381 AIRPORT DRIVE SW, Rochester, MN 55902-1875
14673755 +E-mail/Text: electronicbkydocs@nelnet.net Jan 09 2018 02:00:14 U.S. Department of Education,
C/O Nelnet, 121 South 13th Street, Suite 201, Lincoln, NE 68508-1911
14737301 +E-mail/Text: BankruptcyNotice@upmc.edu Jan 09 2018 02:00:43 UPMC,
2 Hot Metal St., Dist. Rmoom 386, Pittsburgh, PA 15203-2348

TOTAL: 25

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Duquesne Light Company
cr JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14665861* +CHASE BANK, PO BOX 15548, Wilmington, DE 19886-5548
14678106* +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147

TOTALS: 2, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 10, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 8, 2018 at the address(es) listed below:

Allison L. Carr on behalf of Creditor Duquesne Light Company acarr@bernsteinlaw.com,
acarr@ecf.courtdrive.com; cwirick@ecf.courtdrive.com
James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Township of Ross jhunt@grblaw.com, cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor North Hills School District jhunt@grblaw.com,
cnoroski@grblaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Russell A. Burdelski on behalf of Joint Debtor Lauren F. Solosky atyrusb@choiceonemail.com
Russell A. Burdelski on behalf of Debtor Nicholas D. Solosky atyrusb@choiceonemail.com
TOTAL: 8